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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 7349/2007

PETITIONERS

1. Senjit Dahariya by caste Satnami (a person belonging to scheduled caste contesting candidate for Shiksha Karmi Grade III) resident of Village Kusmi in Janpad Panchayat Palari District Raipur (C.G.)
2. Dinesh Kumar Chandrakar, S/o Shankarlal (contesting candidate of Shiksha Karmi Grade III) resident of village Sisdeori Janpad Panchayat Palari, District Raipur (C.G.)
3. Yenkumar Yadav, S/o Raja Ram contesting (candidate Shiksha Karmi Grade III) resident of village Sundrawan Janpad Panchayat Palari, District Raipur (C.G.)
4. Chunuram Verma, S/o Khubiram (contesting candidate Shiksha Karmi Grade III) resident of village Ganiyari in the Police Station of Kharora District Raipur (C.G.)
5. Vinod Kumar Wadle, S/o Lakhanlal (contesting candidate Shiksha Karmi Grade III) resident of Dongar Garh near Chouki District Rajnandgaon (C.G.)
6. Urmila Sahu, D/o Bharatlal (contesting candidate Shikhsa Karmi resident of Bartori (Khauna) Tahsil Dharsiwa District Raipur (C.G.)
7. Khemlata D/o Santosh Kumar Verma, aged about 20 years (contesting candidate Shiksha Karmi resident of village Jara Tahsil Palari, District Raipur (C.G.)
8. Shrila Verma, D/o Hulasram, resident of Village Tarpongi Tahsil Dharsiwa District Raipur (C.G.)
9. Dipika Naik D/o Ram Kumar Resident of Village Tarpongi Tahsil Dharsiwa District Raipur (C.G.)
10. Jitendra Banjare, S/o T. Banjare resident of Village Barchha Tahsil Arang District Raipur.



All above the contesting candidate (Shiksha Karmi) in the Janpad Panchayat Palari, District Raipur (C.G.)

Versus

RESPONDENTS

- 1 The Chief Executive Officer, Palari Janpad Panchayat and Tahsil Palari District Raipur (C.G.)
- 2 M.L. Maravi, the Chief Executive Officer Palari Tahsil Palari, District Raipur (C.G.)
3. The President, Janpad Panchayat Palari Tahsil Palari District Raipur (C.G.)
4. The Vice President Janpad Panchayat Palari, District Raipur (C.G.)
5. The Secretary Department of School Education Secretariat C.G. State D.K.S. Bhawan, Raipur (C.G.)
6. The State of Chhattisgarh through the Secretary Department of Panchayat and Rural Development Secretariat D.K.S. Bhawan, Raipur (C.G.)
7. The Collector, Raipur, District Raipur (C.G.)
8. The District Education Officer, Raipur, District Raipur (C.G.)
- 9 The Block Education Officer, Palari, District Raipur (C.G.)
- 10 The Director of Education Raipur Division Raipur (C.G.)
- 11 Keshaw Prasad Dhruw, S/o Mantram resident of village Tamori Janpad Panchayat Palari District Raipur so called appointed Shiksha Karmi)
- 12 Shyam Sunder Patel, S/o Kamal Narayan resident of village Konari, Tahsil Palari (Shiksha Karmi)
13. Sushma Bharti, D/o Narendra Kurre, resident village Harin Bhatta Tahsil Palari (Shiksha Karmi)
- 14 Gunit Ram S/o Charan Sahu, resident village Rasota Tahsil Palari (Shiksha Karmi)

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- 15 Vinod Kumar S/o Gajanand Verma village Riwadih Tahsil Palari (Shiksha Karmi)
- 16 Indrani Sahu, D/o Narayan resident Bharuwadih Tahsil Palari (Shiksha Karmi)
- 17 Dilip Kumar Verma, S/o Dukhu Ram resident village Jarwe Tahsil Palari (Shiksha Karmi)
- 18 Sima Verma W/o Dilip Kumar resident Jarwe Tahsil Palari (Shiksha Karmi)
- 19 Deepak Kumar D/o Kejram Verma, resident Palari (Shiksha Karmi)
- 20 Vijay Kumar S/o Hetram Chatuvedi resident Nawagaon (Dhawai) Sub-Division Baloda Bazar District Raipur (Shiksha Karmi)
- 21 Vimal Kumar Induriya S/o Ramcharan village Kakdehi, District Raipur (Shiksha Karmi)
- 22 Kanhaiya Sahu, S/o Ramu Sahu (Shiksha Karmi) village Mamohara District Rajnandgaon.
- 23 Sanjay Das Manikpuri, S/o Nirmal Das village Sonsai Tola, District Rajnandgaon (Shiksha Karmi)
- 24 Shyam lal Chandrawanshi, S/o Vishnoo Ram Village Khadkhadi District Rajnandgaon (Shiksha Karmi)
- 25 Sarita Netam D/o Pravin Kumar Netram Village Bharritola District Rajnandgaon (Shiksha Karmi)
- 26 Kanti D/o Umed Singh village Janjgira, District Durg (Shiksha Karmi)
- 27 Paltan D/o Santuram Fekar village Gundardehi District Durg (Shiksha Karmi)

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION
OF INDIA**

Appearance:

Shri J.R. Verma, Counsel for the petitioners.

Shri Satish Gupta, Dy. Govt. Advocate for the State/respondents No.5,6,7,8,9 & 10 on advance copy.

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ORAL ORDER
(12.12.2007)**SUNIL KUMAR SINHA, J**

Heard.

The petitioners have challenged the process of selection as also selection of respondents No.11 to 27 on the post of Shiksha Karmi Grade III. Challenge has been made on various grounds.

Admittedly, the selection process has taken place under the provisions of M.P. (C.G.) Panchayat Shiksha Karmi (Recruitment and Conditions of Service) Rules, 1997.

A perusal of the aforesaid Rules would show that there is a provision of appeal in Rule 12 of the aforesaid Rules and the petitioners have not availed the statutory remedy of appeal, which is an efficacious remedy and have directly visited this Court in this writ petition.

In view of the above, when there is a remedy of statutory appeal, I am not inclined to admit this petition for hearing under article 226 of the Constitution of India.

The petition stands disposed of at this stage.

However, the petitioners, if so advised, may avail the statutory remedy of appeal before the appellate authority as per Rule 12 of the aforesaid Rules.

Sd/-
Sunil Kumar Sinha
Judge

Sinha